

HOUSE BILL NO. 5690

January 26, 2022, Introduced by Rep. Tisdell and referred to the Committee on Regulatory Reform.

A bill to amend 1979 PA 152, entitled
"State license fee act,"
by amending section 3 (MCL 338.2203), as amended by 2012 PA 308,
and by adding section 32.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. **(1)** The ~~licensing and regulation~~**occupational** fund is
2 created in the state treasury. All of the following apply to the
3 ~~licensing and regulation~~**occupational** fund:

1 (a) Except as otherwise provided in sections 11, 37, 38, and
2 39, the fees collected under this act ~~shall~~**must** be deposited into
3 the fund.

4 (b) Money in the fund ~~shall~~**must** be used only to offset the
5 cost of operating the department.

6 (c) The state treasurer shall direct the investment of the
7 fund and shall credit to the fund interest and earnings from fund
8 investments.

9 (d) Money in the fund at the close of the fiscal year ~~shall~~
10 ~~remain~~**remains** in the fund and ~~shall~~**does** not lapse to the general
11 fund.

12 (e) The department is the administrator of the fund for
13 auditing purposes.

14 (2) **The department shall expend money from the occupational**
15 **fund, on appropriation, only for the operation of the corporations,**
16 **securities, and commercial licensing bureau and indirect overhead**
17 **expenses of the department that include, but are not limited to,**
18 **the purchase and sale to the general public of printed laws and**
19 **rules.**

20 Sec. 32. (1) Subject to subsection (2), fees for an individual
21 who is licensed or seeking licensure as a home inspector under
22 article 14 of the occupational code, MCL 339.1401 to 339.1407, are
23 as follows:

24 (a) Nonrefundable application processing fee, \$100.00.

25 (b) Per year license fee, \$100.00.

26 (c) Examination fee, if applicable, \$200.00.

27 (d) Examination review fee, if applicable, \$20.00.

28 (2) **Fees established under this section are intended to bear a**
29 **reasonable relation to the department's cost, including overhead,**

1 of the service or action for which the fee is charged and must be
2 deposited into the occupational fund created under section 3 to
3 offset those costs. The department shall adjust on an annual basis
4 the license fees prescribed under this section by an amount
5 determined by the state treasurer to reflect the cumulative annual
6 percentage change in the Detroit Consumer Price Index, subject to a
7 maximum adjustment of 5% in any 1 year. As used in this subsection,
8 "Detroit Consumer Price Index" means the most comprehensive index
9 of consumer prices available for the Detroit area from the Bureau
10 of Labor Statistics of the United States Department of Labor.

11 Enacting section 1. This amendatory act takes effect 1 year
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No.____ or House Bill No. 5691 (request no.
15 04961'21) of the 101st Legislature is enacted into law.